



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

AGENDA

Meeting of June 8, 1999

9:00 A.M., Ethics Commission Meeting Room, 1st Floor
242 State Street, Augusta, Maine

ROUTINE BUSINESS

1. Ratification of Minutes:
 - A. Minutes of the May 10, 1999 meeting.
 - B. Minutes of the May 21, 1999 special meeting.

OLD BUSINESS

2. Electronic Filing Request for Proposals: Status Report.
3. Enacted Legislation Affecting Commission: Status Report

NEW BUSINESS

4. Late Lobbyist Disclosure Reports:
 - A. J. Bradford Coffey, Lobbyist for Houlton Band of Maliseet Indians
Late April 1999 Report -- Due 5/17/99; Filed 5/26/99 -- 9 days late
No previous late filings this biennium
Penalty: \$100
Recommendation: Mitigate to \$50 based on previous filing record.
5. Late Candidate Campaign Finance Reports:
 - A. John Wade, 1998 Candidate for State House of Representatives
Late 42-day Post-Primary Report: Due 7/21/98; Filed 3/4/99 -- 227 days late
Late 6-day Pre-General Election Report: Due 10/28/98; Filed 3/4/99 -- 128 days late
Late 42-day Post-General Election Report: Due 12/15/98; Filed 5/20/99 -- 157 days late
Penalties: \$5,000 for each violation (statutory maximum for each); \$15,000 total [See
Penalty Matrix accompanying 5/4/99 and 5/24/99 letters of notification].
Recommendation: Please refer to Mr. Wade's affidavit received May 24, 1999. Mr.
Wade asserts as the basis for his request for consideration of mitigating circumstances the
illness of both his father and himself. While those illnesses may explain some of the
delay in filing the three reports at issue here, they do not justify the full delay. The facts
in this case support the conclusion that the failure to file the required reports has been

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without sufficient justification to warrant mitigation of the penalties. Therefore, the staff recommends the assessment of the full amount of \$5,000 for each late report; a total penalty of \$15,000. Further, the staff recommends that the Commission set a reasonable period of time in which any penalty that may be assessed is to be paid; and that, if the penalty is not paid within that time, the Commission direct that this matter be referred to the Attorney General's Office for immediate collection action.

6. Executive Session: Status of lawsuits challenging the Maine Clean Election Act (*Daggett, et al. v. Webster, et al.*) and lobbyist registration fees (*MCOA/MCLU v. Webster, et al.*).

ADJOURNMENT